

MAYOR ASSAILS PROBER CURRAN

And Refuses to Testify Before Aldermen Without Subpoena.

ACCUSATION IN LETTER

Gaynor Charges Alderman Followed "System" in Granting Licenses.

CURRAN THREATENS SUIT

Writes Mayor He Has Instructed Lawyers to Bring Libel Action.

The Curran Aldermanic committee's investigation into police conditions in New York ran into a snag yesterday afternoon before it fairly was started.

That snag was a quarrel between Mayor Gaynor and Alderman Henry H. Curran, chairman of the Aldermanic committee.

The Mayor did not appear at the hearing. Instead he sent Alderman Curran a letter announcing that he could not ally himself with the Aldermen in any effort to discover wrongdoing in the Police Department, and stating that evidence has accumulated to the effect that Alderman Curran pursues the "system" by which the Mayor says, money is obtained from new dealers for licenses.

There was a question last night whether the Mayor would appear at the investigation to-day or not.

Mayor Gaynor told Emory R. Buckner, counsel for the committee, that he would appear at the hearing to-day without subpoena. The wording of the Mayor's letter, however, is such that it gives little ground for belief that he will take any part in the investigation.

The hearing was set for 2 o'clock yesterday afternoon and Mayor Gaynor was to be the first witness. At 10:30 o'clock or thereabout yesterday morning Chairman Curran and Mr. Buckner called to see the Mayor with regard to the hearing. It had been left to the Mayor to decide whether he would testify under oath before the committee or would merely make statements in response to the questions put to him. The settlement of this question was one of the matters about which Mr. Curran and Mr. Buckner sought to interview the Mayor.

Will Not See Curran.

They did not succeed in seeing Mr. Gaynor at that time. About 1 o'clock the Mayor sent word through his secretary, Robert Adamson, that he would see Mr. Buckner but did not wish to see Mr. Curran. At about the same time Mr. Curran received at the hands of Executive Secretary Matthews the letter explaining the Mayor's position so far as Chairman Curran was concerned.

The letter, dated September 9, 1912, follows:

While away for a short vacation I received your letter of September 3, asking me to attend before the committee of the Board of Aldermen, who are investigating the Police Department, and state my views with regard to the administration of that department and whether any changes in law or system are needed to control the present responsibility in the Commission. Your letter makes it necessary to speak plainly to you, as much as I regret to do so. I cannot ally myself with you in any effort to discover wrongdoing in the Police Department.

I have devoted much of my life to efforts to improve government and make it respectable and honest, and I intend to continue that work, but I have never allied myself in any way with anyone who has not himself above reproach. I have called attention to the miserable grafting carried on by members of the Board of Aldermen in respect of the licensing of the newsstands and the like throughout the city. By an ordinance of the Board of Aldermen, no license can be granted for the sale of newspapers or other publications without the approval of the Aldermen of the district in which the license is to be granted.

I have now for more than two years been calling the attention of the Board of Aldermen to cases where Aldermen refuse to grant these licenses except on certain terms heavily for them. Sums of \$500 and \$1,000 are commonly paid, and there are about 1,000 of such licensed stands. The method by which this is done is that the Aldermen place of dealing with the licensee personally and handily the certificate over to him personally, as the law and official duty require, refers such license to a go-between who is generally what is called a ward heeler, and then hands the certificate over to such go-between, who in turn hands it to the licensee. I have no doubt that the Aldermen who do this share in the extortion money.

Evidence has accumulated here that you pursue this system. I do not see how I can expect the police to be honest when they see every hand that even the Aldermen of the city are taking graft personally or enabling corrupt go-betweens to do so. I cannot ally myself with you in any effort to investigate the conduct of any official or any department of the city government.

My attention has also been called to the fact that you have at least several times published statements with regard to your office which are entirely untrue, and which are being truthfully told by another person who I do not wish to have any relation with you. If the committee wants any fact of mine let it subpoena me or notify me to appear, and I will do so and give such facts as I shall not go to any effort to discover wrongdoing in the Police Department.

It was stated by Mr. Curran's friends after in the afternoon that the Alderman had gone downtown as soon as the Mayor's brief session was over to consult with his attorney regarding the Mayor's letter.

Late last night Chairman Curran gave Continued on Fourth Page.

WHERE TO HAVE LUNCHEON.
R. T. O'NEAL & SONS CO., 138 Fulton St., N. Y.

TURKEY SUBMITS TO ITALY.

Peace Treaty Concluded and Sultan Gets \$120,000,000 Loan.

Special Cable Despatch to The Sun. LONDON, Sept. 9.—A despatch filed in the office in Rome by The Sun's Italian correspondent last Friday and which was stopped by the Italian censor was received at The Sun's London office to-day by mail. The fact that it was stopped in Rome gives it added importance.

The despatch reads: "The *Corriere d'Italia* is authoritatively informed that the Italian and Turkish delegates who have been conferring in Switzerland on the question of peace have successfully concluded negotiations for a peace treaty and the document will be signed shortly. 'The agreement was reached approximately on the following bases:

"First—The Turkish Government will undertake to recognize the Italian occupation of the coast of Tripoli and Cyrenaica and will withdraw the Ottoman forces. Turkey, without formally recognizing Italy's sovereignty in Tripoli, will not oppose Italian expansion into the interior.

"Second—Italy legally will recognize the Caliph's religious jurisdiction in the Libyan provinces and all the privileges and guarantees pertaining thereto.

"Third—Italy will grant Turkey an unredemable loan of \$120,000,000.

"Fourth—As a safeguard for the payment of the interest on that loan Turkey, while retaining the sovereignty over all the Aegean Islands, will allow Italy to hold the twelve islands which have already been occupied and which, therefore, will remain under Italian administration."

In connection with the last article of the proposed peace agreement it has been the general belief here that Italy, in concert with the Powers, would find means of obtaining autonomy for the Aegean Islands, the Greek inhabitants of which desire to wipe out Turkish officialdom.

Paris, Sept. 10.—The Berlin correspondent of the *Figaro* telegraphs his paper that the peace preliminaries between Turkey and Italy will probably be signed on Wednesday.

The tentative agreement provides for the suspension of hostilities.

SHERIFF IN AUTO SAVES NEGRO.

Mounted Mob Vainly Pursues Youth Who Attacked Girl.

GAINESVILLE, Ga., Sept. 9.—Only the speed of a high powered automobile saved Edward Knox, an eighteen-year-old negro boy, from being put to death by a mob this afternoon. The negro was wanted by the mob for cutting the throat of Miss May Crow and leaving her for dead.

The girl is the daughter of a wealthy planter near Cumming, Ga. She went to visit a neighbor on Sunday afternoon and when she did not return search was begun. She was found in the woods almost nude and with her throat cut. She had been beaten over the head and was unconscious.

Poses were formed and Knox was captured. He confessed to the killing of the girl. He was taken to the jail and Sheriff Willis C. Degraw, who has been in the case, and other detectives employed by District Attorney Thomas C. Rogers of Orange county, said to be Burns men, worked at Greenwood Lake Sunday.

In a foot by foot search along the shores of the lake they came upon many persons who knew about the tragedy. At least ten had testimony which warranted the taking down of that they had to say, and three of those persons proved to be material witnesses. They saw the incident which resulted in the death of the woman.

Two of these witnesses swore they saw the man and woman out on the lake. They saw her rise from a seat in the stern and make as if to go to the rowing seats where Gibson sat. Both were in their bathing suits. After the woman had taken a step she pitched overboard without making an effort to save herself, more as if she had lost control of herself or had been struck or something like that. No witness could tell of a blow, however.

They saw the splash, saw the boat right itself with Gibson still sitting in the rowing seat. It was a very brief space of time, not a minute, each witness swore, before the man went overboard. The third witness said that Gibson was on his feet as if he were about to change places with the woman when she went over.

The authorities would say nothing further about their discoveries. Dr. Fischerauer, Arpad A. Kremer, his counsel, Deputy Sheriff Degraw and the detectives all declined to give the names of the witnesses and further declined to say whether or not any affidavit deposing them had been taken, and whether he arose and made a dive, whether he went out the same side the woman went, whether he appeared on the surface, whether he made an effort to save her or what he did and they would not say whether anything happened to the boat immediately before the woman fell.

They simply said that they were witnesses of the highest importance, who corroborated the statement of the first witness known, Mrs. Hiley Brooks of Paterson.

Improved by Guide First Time.

Of the other statements, one or two are about the Sunday accident to Mrs. Szabo and Gibson when they upset in a boat. Mrs. Szabo was drowned the following Tuesday. The Sunday accident happened to be in shallow water, but their actions immediately before was such as to lead to a strong reproach from a guide of the name of Garrison, who told them they might have gone over in deep water.

Others told of the incidents on Tuesday. They describe how the two left the boat and how they were rescued by Mayor Gaynor in reply to the Mayor's Continued on Fourth Page.

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MADE HILL PAY \$1,000,000!

C. H. Verner Forced Settlement of Ore Suits, It Is Said.

ST. PAUL, Minn., Sept. 9.—James J. Hill and the Great Northern Railroad are said to have paid between \$1,000,000 and \$2,000,000 to stop Clarence H. Verner of New York from continuing litigation started in 1907 which might have tied up all the Hill ore properties in Minnesota.

The settlement came to light to-day in the filing of a stipulation of settlement with the clerk of the District Court by attorneys for Mr. Hill and the Great Northern. On the eve of settlement, which was made on August 20, Verner had prepared with his attorney, Edward L. Graves of St. Paul, a writ of injunction to prevent the working of all the iron ore properties controlled by the Hills and the Great Northern, involving \$150,000,000.

The settlement was fixed up between Verner alone and high officials of the Great Northern road and the Lake Superior Company, Ltd.

It was charged by Verner that the Great Northern and the Hills had used money belonging to the stockholders to purchase the ore lands. It was demanded that the earnings be turned over to the stockholders.

MAYOR'S BAR ON MOVIES UPHELD.

Court Commends Gaynor for Refusing License Near School.

Supreme Court Justice Delany upheld yesterday the action of Mayor Gaynor in refusing to grant a license to Herman Moses for a moving picture theatre at 216 East Forty-second street, adjoining a public school and across the street from St. Bartholomew's parish house. Moses contended the Mayor had refused the license without cause and asked for a writ of mandamus.

In upholding the action of the Mayor the court said objections had been filed by parents of children attending the public school, by members of the Board of Education and by residents of the neighborhood, although other residents favored it. The court said the Mayor used good judgment.

SWEAR GIBSON DIDN'T HURRY TO WOMAN'S AID

New Witnesses Say He Sat Still in Boat for Fully a Minute.

HER BODY IS IDENTIFIED

Record of Life and Death of Mrs. Szabo's Mother Sent From Vienna.

Three new important witnesses to the actual death of Mrs. Rose Menschik Szabo have been discovered.

Two of these witnesses have made affidavit that Attorney Burton W. Gibson, the companion of Mrs. Szabo, was seated in the boat when the woman went overboard into Greenwood Lake; that a fraction of a minute elapsed before the lawyer himself followed her.

The third witness, while agreeing as to the interval, swears that Gibson also was standing up facing Mrs. Szabo when she fell. The affidavits of the three together, with that of Mrs. Hiley Brooks, who agrees with the two, and six other statements have been prepared for District Attorney Thomas C. Rogers of Orange county, who is conducting one phase of the case. The other six can only testify to incidents before or immediately after the tragedy.

The body of Mrs. Szabo was taken out of its grave in New York Bay Cemetery yesterday afternoon and an autopsy will be held at 11 o'clock this morning by Dr. George W. King, county physician of Hudson county, N. J., and Dr. Otto Schultze, Coroner's physician of New York county, as it is a New York case.

Word came from the Austrian Government yesterday that official records of the life and death of Mrs. Petronella Menschik have been prepared and sent to this country. These contain the narrative of the woman's life, her marriage, the names of all her children, including Rose, her death and other facts. The records will be exemplified in accordance with international law in such form that they can be used as legal evidence in the courts of this country.

At the same time Franz Menschik, a brother of Mrs. Szabo, left Trieste for America. He will supply the necessary evidence which will not be in the record and he will be vouched for according to law.

Further important testimony was elicited yesterday as to the knowledge of Mrs. Szabo and Gibson as to the death of the mother and the surviving of the brothers and sisters in Austria. It was declared that Mrs. Annie T. Boyd who was Gibson's stenographer, had made affidavit that Mrs. Szabo had brought letters written in German to the Gibson office. A translator read these in the presence of the lawyer, the woman and the stenographer. They proved to be from a brother, who told of the death of the mother.

Deputy Consul-General from Austria-Hungary, Dr. Fritz Fischerauer, Pinkerton detectives employed by him, Deputy Sheriff Willis C. Degraw, who has been in the case, and other detectives employed by District Attorney Thomas C. Rogers of Orange county, said to be Burns men, worked at Greenwood Lake Sunday.

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ARKANSAS LIFTS THE LID.

Prohibition Defeated. Hot Springs Open Town and Democrats Win.

LITTLE ROCK, Ark., Sept. 9.—Indications on the face of meagre returns from widely scattered districts over Arkansas are that the statewide prohibition petition has been defeated by from 35,000 to 50,000 votes. A large negro vote has been polled and this vote will be almost solid against prohibition. The heavy negro vote on the face of the early returns makes it highly probable that the amendment incorporating the "grand-fathers" clause, which would disqualify fully 75 per cent. of the negro vote, was defeated.

The influence of Congressman Joe T. Robinson, Democratic nominee for Governor, who favored local option against the prohibition measure, has been widely felt. The success of the entire Democratic State ticket and Legislature is assured.

B. L. Williams ran on a platform advocating a liberal policy as regards gambling, Sunday baseball by the major leagues and motion picture shows on the Sabbath and it was upon his platform his success may be credited. Hot Springs has been under "lid" rule for the past four years and the residents are anxious to allow the visitors to this resort more latitude than they have been enjoying during that time. The election of Williams is a severe rebuke to the local reformers, and means that gambling under a high license and police regulations will be permitted in the finer clubs of the city, but not in the low dives.

PORTLAND, Me., Sept. 9.—Heavy Republican gains throughout the State indicated at 10:30 o'clock to-night that William T. Haines would be elected over the present Democratic Governor, Frederick W. Plaisted, and that three, and possibly four, Republican Congressmen would be elected as against two at the last election.

Should Haines maintain his lead until all the votes are counted on the same basis as the foregoing figures he will be elected by a plurality of about 3,750 as compared with a plurality of 8,600 which was given Plaisted two years ago. Though returns are still incomplete, it is highly probable that the Legislature will be Republican by a slight majority. However, neither ex-Congressman Burleigh nor Senator Obadiah Gardner are at all certain of going to the United States Senate.

Of a total of thirty-one members of the State Senate returns now indicate eight Republicans and three Democrats surely elected in that branch. In the House there are so far elected forty-three Republicans and thirty-six Democrats out of a total of 151. The last Legislature was overwhelmingly Democratic.

There is no longer any question but that Haines, Guernsey and McGillicuddy (Dem.) have been reelected to Congress, though with reduced pluralities. Forrest Goodwin is the other Republican Congressman elected.

At 1:20 o'clock (Tuesday morning) 564 districts out of 634, comprising nineteen out of twenty cities and 461 out of 501 towns, gave Haines 68,639 and Plaisted 65,781.

Two years ago Fernald received 62,206 and Plaisted 71,917.

A feature that made possible the election of Haines is the fact that the Progressives, who are admittedly strong in this State, did not oppose him, instead there being a solid Republican force against the Democrats. Nor did the Progressives come into this State prior to to-day in the fight for their national ticket. They agreed with the Republican State committee to stay out of the State until after the election, and it is highly probable that their absence from the State carried considerable strength to Haines.

Another feature of to-day's battle was the fact that the Republicans who defected to Plaisted two years ago did not stay under his banner this year.

Forrest Goodwin, Rep., William T. Haines of Waterville (Rep.), was elected Governor of Maine to-day by a plurality of at least 3,000. His opponent, Gov. Frederick W. Plaisted (Dem.), was elected two years ago with 8,000 plurality. Returns of about 70 per cent. of the total vote expected indicates the election of Asher Hinds (Rep.), Forrest Goodwin (Rep.) and Frank E. Guernsey (Rep.).

McGillicuddy in the Second is re-elected.

Interests centres in the complexion of the Legislature on account of the selection of a United States Senator. At midnight it is in doubt, with some of the Democratic leaders conceding it to the Republicans on a joint convention and others insisting that the Democrats will have enough of a majority in the House to offset a Republican majority in the Senate.

If the Legislature is Democratic Maine will have a Republican Governor, Democratic Executive Council and Democratic Secretary of State and Commissioner of Agriculture.

The margin by which Gov. Plaisted won over Fernald in 1910 has been almost exactly reversed by Haines throughout the State.

With less than fifty towns and cities to hear from Haines leads Plaisted by 3,000 votes. Plaisted carried Portland by only 750 votes—just half his plurality two years ago.

Congressman Asher C. Hinds will be reelected by 1,500, and Congressman Guernsey by 600 votes.

HILLES JUBILANT OVER MAINE.

Says the Tide Has Turned To Favor—Not a Democratic Year.

Chairman Hilles of the Republican National Committee was greatly pleased with the Maine returns, and gave out the following official statement concerning them:

"The result, it seems to me, must prove to the country the utter futility of a third party entering the present Presidential race.

"In spite of the fact that on the Democratic side it has been made a national campaign of the highest importance and speakers sent from all parts of the country, headed by the Democratic candidate for the Vice-Presidency, Gov. Marshall, and the near Presidential nominee, Mr. Champ Clark, the Republicans have won a great victory and redeemed the State from Democratic control. The tide has unmistakably turned in the direction of President Taft and his reelection."

THE UNITED STATES EXPRESS COMPANY has not been tied up and has not experienced any delay in forwarding shipments from New York City, as implied in New York Times of September 9th.—Ad.

MAINE SWINGS TO REPUBLICANS

Gov. Plaisted Beaten by 3,000 and Democrats Lose One Congressman.

LEGISLATURE IN DOUBT

Progressives Had No Ticket and Fight Was on State Issues.

ASHER HINDS REELECTED

Republicans Gain One Representative and 9 Per Cent. in Vote.

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ORDERS MORSE TO TELL WEALTH

Court Directs That He Testify Concerning Property on September 13.

Charles W. Morse was ordered yesterday by Supreme Court Justice Delany to appear in court on September 13 and testify concerning his property.

The order was obtained by Montrose W. Houck, who got a judgment against Morse on December 28, 1908, for \$28,524 and has been unable to collect or find any of Mr. Morse's property that he could attach.

The petition upon which the order was obtained alleged Morse was secreting his property to avoid paying his creditors.

DIVES 96 FEET: NAVY RECORD.

Chief Boatswain's Mate Unconscious When Helmet Is Removed.

NEWPORT, R. I., Sept. 9.—Chief Boatswain's Mate C. Zucker has established a diving record for the navy. He went down ninety-six feet in the water off Provincetown late last week in search of a torpedo lost by the destroyer Paundling.

The Paundling returned here to-day, having remained behind the other destroyers to make